

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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CALAMAR CAPITAL SERVICES, LLC,
N.A. REALTY FUND II, LLC, and
INDICAL PARTNERS, LLC,

Plaintiffs,

-against-

BCMK INVESTMENT HOLDINGS, LLC,
BRENT E. CAREY, and
GLOBAL ADVISORS, LLC,

Defendants.

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Civil Action No. 24-CV-00684-JLS

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed Declaration of Robert M. Tils, dated July 29, 2024, the accompanying Declaration of Brent E. Carey, dated July 29, 2024, and all the exhibits annexed thereto, the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss, dated July 29, 2024, and all other papers and proceedings in this matter, Defendants BCMK Investment Holdings, LLC, Brent E. Carey, and Indigo Global Advisors, LLC, by their undersigned counsel, will move this Court, before the Honorable John L. Sinatra, Jr., at the United States Courthouse, 2 Niagara Square, Buffalo, New York 14202, at such time and date as the Court shall direct, for an Order, pursuant to Rule 12(b)(1), (2), and (6) of the Federal Rules of Civil Procedure, granting Defendants' Motion to Dismiss and dismissing the Complaint of Plaintiffs Calamar Capital Services, LLC, N.A. Realty Fund II, LLC, and IndiCal

Partners, LLC in its entirety, and with prejudice, and for such further relief as this Court may deem just and proper.

Dated: Garden City, New York
July 29, 2024

MORITT, HOCK & HAMROFF LLP
Attorneys for Defendants
BCMK Investment Holdings, LLC,
Brent E. Carey, and Indigo Global Advisors, LLC.

By: s/ Robert M. Tils
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(*Pro Hac Vice* Motion to be filed)
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